

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
JANUARY 5, 2009**

COMMISSIONERS PRESENT: Tony Dennis, Chairman
Gene McIntyre, Vice-Chairman
Lindsey Dunevant
Sherrill Smith
Jann Lowder

COMMISSIONERS ABSENT: None

STAFF PRESENT: Andy Lucas, County Manager
John Roberts, County Attorney
Tyler Brummitt, Clerk to the Board

CALL TO ORDER

The Stanly County Board of Commissioners (the "Board") met in regular session on Monday, January 5, 2009 at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. Chairman Dennis called the meeting to order and Vice-Chairman McIntyre gave the devotion.

APPROVAL/ADJUSTMENTS TO THE AGENDA

Vice-Chairman McIntyre made a motion to approve the agenda with several amendments: Item # 8 identified as the Stanly County Recreation Plan and item #10 identified as the resolution granting authority to the county manager to negotiate and lease county property and authority to dispose of county owned property be tabled until a later date, the public comment period be moved to the beginning of the meeting, and to recess the regular meeting rather than adjourn. His motion was seconded by Commissioner Dunevant and passed by unanimous vote.

Vice-Chairman McIntyre made a second motion to request the addition of the Economic Development Commission Board appointments be added to the agenda. His motion was seconded by Commissioner Lowder and passed by unanimous vote.

PUBLIC COMMENT

The county manager read a statement on behalf of the Board and county staff regarding the recent tax revaluation stating the Board would be meeting with the Tax Assessor's Office to look more closely at the re- evaluation process.

Chairman Dennis requested that anyone who wished to speak to the Board come forward. During this time, Tony Hill, Mickey Huneycutt, Jim and Marilyn Lowder and Lane Lowder came forward to address the Board with their concerns regarding the recent tax assessment stating it was "ill timed" considering the state of the economy. Rick Johnson and Charles Johnson of the Tax Assessors Office were also present to answer questions.

ITEM # 1 - PUBLIC HEARING – CLOSEOUT OF THE 2006 CDBG SCATTERED SITE PROJECT

Presenter: Michael Walser, Grant Administrator for Hobbs, Upchurch & Associates

This was the required public hearing for the closeout of the 2006 Scattered Site Grant (06-C-1539) for the NC Division of Community Assistance. The purpose was to receive public comment concerning the closeout of the grant. With this grant, ten (10) houses were rehabilitated and all required monitoring completed satisfactorily.

Chairman Dennis declared the public hearing open. Hearing no comments, the public hearing was closed.

Vice-Chairman McIntyre made a motion to approve the closeout of the 2006 Scattered Site Grant. Commissioner Smith seconded the motion and the motion passed by unanimous vote.

ITEM # 2 – ANNUAL COUNTY AUDIT

Presenter: Crystal Waddell of Martin Starnes & Associates

Ms. Waddell presented a verbal report and power point presentation on the county's annual audit for year ended June 30, 2008. There were no significant concerns or issues found during the audit.

No action was required by the Board.

ITEM # 3 – PLANNING & ZONING – APPOINTMENT OF ALTERNATE MEMBER TO THE BOARD OF ADJUSTMENT

Presenter: Andy Lucas, County Manager

The Stanly County Board of Adjustments requested alternate member Courtney Hildreth be removed and a new alternate member appointed.

Vice-Chairman McIntyre made a motion to table this item to allow time for review of volunteer applications to fill the vacancy. His motion was seconded by Commissioner Dunevant and the motion passed by a vote of 5 – 0.

ITEM # 4 – RECOMMENDED EMS RATE SCHEDULE FOR 2009

Presenter: Brian Simpson, EMS Director

EMS Director Brian Simpson requested approval of the 2009 EMS rate schedule based on the Medicare allowable increases effective January 1, 2009. Due to the increase in the cost of emergency medical services and Medicare's allowable expenses since last year, EMS recommended a 6% increase over the previous year's rates. EMS staff did not feel comfortable recommending a 9% increase equal to that of Medicare due to the current economic conditions.

Commissioner Smith made a motion to approve the recommended EMS rate schedule for 2009 and was seconded by Vice-Chairman McIntyre. The motion passed by unanimous vote.

ITEM # 5 – UTILITIES

Presenter: Donna Davis, Director

Motion to recess the Board as the Greater Badin Water & Sewer Authority was made by Vice-Chairman McIntyre and seconded by Commissioner Lowder. The motion passed by a vote of 5 – 0.

A) Greater Badin Water & Sewer District (GBWSA) / Stanly County Utilities-

Utilities requested authorization to apply for funding through the NC Rural Center for a capacity grant in the amount of \$40,000 to prepare an assessment of the needs and means of replacing and rehabilitating the water infrastructure in the Town of Badin. The grant would require matching funds from the district which are available from the GBWSA reserve funds.

Motion to authorize the application for funding from the NC Rural Center was made by Commissioner Lowder and seconded by Vice-Chairman McIntyre. The motion passed by unanimous vote.

Motion to adjourn the meeting as the Greater Badin Water & Sewer Authority and resume the regular meeting as the Stanly County Board of Commissioners was made by Vice-Chairman McIntyre. The motion was seconded by Commissioner Smith and passed by unanimous vote.

B) Hwy 52 (Southside) Water Extension Project Ordinance-

Stanly County Utilities has been awarded a grant in the amount of \$500,000 for construction of a water project along Hwy 52 south of the Albemarle city limits that will connect the existing county water system on Hwy 138 via Southside Road. In order to proceed with the project, a project ordinance is required.

Motion to approve the Hwy 52 (Southside) Water Extension Project ordinance was made by Commissioner Smith and seconded by Commissioner Lowder. Motion passed by unanimous vote.

ITEM # 6 - TOWN OF OAKBORO – BOARD APPOINTMENTS

Presenter: Andy Lucas, County Manager

The Town of Oakboro requested Leigh Ann Mulligan and Allan McGuire be appointed to the Planning & Zoning Board and Renae H. Little as an alternate to the Board of Adjustment.

Motion to approve the recommended appointments was made by Commissioner Dunevant and seconded by Commissioner McIntyre. The motion passed by a 5 – 0 vote.

ITEM # 7 – APPOINTMENT OF A LEGISLATIVE LIAISON TO NCACC

Presenter: Andy Lucas, County Manager

The NCACC is requesting that each Board appoint a Legislative Liaison for the 2009-2010 legislative biennium in order to provide feedback on the NCACC positions to their respective Boards and to give a voice to the Association on local issues in their county.

A motion to appoint Vice-Chairman McIntyre as the Legislative Liaison and all other Board members as alternates was made by Commissioner Dunevant and seconded by Commissioner Smith. The motion passed by a 5 – 0 vote.

ITEM # 8 – STANLY COUNTY RECREATION PLAN

Presenter: Andy Lucas, County Manager

This item was tabled until a later date for further consideration.

ITEM # 9 – STANLY COUNTY JAIL CONSTRUCTION

Presenter: Andy Lucas, County Manager

The Board was asked to approve a time and materials contract with Bordeaux Construction Company for the completion of the remainder of the jail expansion project. The contract included a clause requiring all work be completed for a not to exceed value of \$250,000 unless the county approves expenses in excess of this amount to complete the project to its satisfaction.

Motion to approve the contract was made by Vice-Chairman McIntyre and seconded by Commissioner Dunevant. The motion passed by unanimous vote.

ITEM # 10 – RESOLUTION GRANTING AUTHORITY TO THE COUNTY MANAGER TO NEGOTIATE AND LEASE COUNTY PROPERTY AND AUTHORITY TO DISPOSE OF COUNTY OWNED PROPERTY

Presenter: Andy Lucas, County Manager

This item was tabled for further consideration.

ITEM # 11 – CONSENT AGENDA

- A) Minutes – Regular meeting on December 1, 2008
- B) Tax Release & Discovery Report for November, 2008
- C) Finance Department – Monthly financial report for five months ended November 30, 2008
- D) Library – Request the attached list of books be declared surplus and donated to the Friends of the Library to be sold in an on-going book sale at the five branch libraries.
- E) Utilities – Designation of surplus items for the purpose of sale, trade, and disposal.

Motion to approve the consent agenda was made by Commissioner Dunevant and seconded by Vice-Chairman McIntyre. The motion passed by unanimous vote.

ECONOMIC DEVELOPMENT COMMISSION APPOINTMENTS

Presenter: Vice-Chairman McIntyre

Commissioner Lowder made a motion to nominate Cindy Beane (Republican- At Large), Scott Booth (South-Republican), and Joel Huneycutt (West-Republican). Commissioner Smith made a motion to nominate William Green (South -Democrat) and Dr. Surendrapal Singh Mac (North-Republican) to replace Stan Bowers. Vice-Chairman McIntyre seconded the nominations for the appointments and the motion passed by unanimous vote.

PUBLIC COMMENT

Jim Lowder addressed the Board and expressed his concerns regarding the court system and the length of time it takes for criminals to be prosecuted.

Commissioner Lowder congratulated Justin Burr on his recent appointment to the NC House of Representatives and wished him well.

Commissioner Dunevant, Vice-Chairman McIntyre, Commissioner Smith, Chairman Dennis, the County Manager, and County Attorney had no comments.

CLOSED SESSION

Commissioner Smith made a motion to recess to closed session to discuss a real estate transaction in accord with G.S. 143-318.11(a)(5). His motion was seconded by Commissioner Dunevant and the motion passed by unanimous vote.

ANNOUNCEMENT

Commissioner Dunevant made a motion to endorse the State Trust Concept Agreement as recommended by the NC Water Rights Committee. Vice-Chairman McIntyre seconded the motion which passed by unanimous vote.

RECESS

There being no further business, Commissioner Dunevant made a motion to recess the meeting until Monday, January 12, 2009 at 5:30 p.m. in the Manager's Conference Room. The motion was seconded by Vice-Chairman McIntyre and passed by unanimous vote at 8:43 p.m.

Tony M. Dennis, Chairman

Tyler Brummitt, Clerk to the Board

